

Notice of Determination**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
 Inland Deserts Region
 3602 Inland Empire Blvd Suite C-220
 Contact: Rose Banks
 Rose.Banks@wildlife.ca.gov

Lead Agency (if different than CDFW)

City of Adelanto
 1600 Air Expressway
 Adelanto, CA 92301
 Contact: James Hirsch
 Phone: (760) 246-2300 ext. 11190

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108

State Clearinghouse Number: 2022020165

Project Title: Silver Peak Solar Project (California Endangered Species Act Incidental Take Permit No. 2081-2022-042-06 (ITP))

Project Location: The Project is located in southwest San Bernardino County, California, in the City of Adelanto. The Project is directly west of Interstate 395, at latitude 34°36'27" north and longitude 117°26'25" west, bordered by Calleja Road to the north, El Mirage Road to the south, Astern Road and US 395 to the east, and Juan's Road to the west.

Project Description: This proposed project involves the construction and operation of a 50-megawatt (MW) ground-mounted, utility-scale solar generating and 50 MW energy storage facility on approximately 462 acres. The Project is located in southwest San Bernardino County, California, in the City of Adelanto.

The Project will result in impacts to Mohave ground squirrel (*Xerospermophilus mohavensis*), Agassiz's desert tortoise (*Gopherus agassizii*), and western Joshua tree (*Yucca brevifolia*). The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on January 31, 2023 and made the following determinations regarding the above described project:

- The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
- [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
- Additional mitigation measures [were / were not] made a condition of CDFW's approval of the project.
- A mitigation reporting or monitoring plan [was / was not] adopted by CDFW for this project.
- A Statement of Overriding Considerations [was / was not] adopted by CDFW for this project.
- Findings [were / were not] made by CDFW pursuant to Public Resources Code § 21081(a).
- Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.

Responsible Agency statement: The EIR prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Heidi Calvert

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Signature

Date: 1/31/2023

Heidi Calvert, Regional Manager

Notice of Determination

Date Received for filing at OPR: _____